

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 04-20225-CIV-SEITZ/O'SULLIVAN

MOSHE SAPERSTEIN, et al.,

Plaintiffs,

v.

THE PALESTINIAN AUTHORITY;  
THE PALESTINE LIBERATION  
ORGANIZATION,

Defendants.

**JOINT APPLICATION FOR APPOINTMENT  
OF A COMMISSIONER PURSUANT TO RULE 28(b)(1)(D), FED. R. CIV. P.**

Plaintiffs and Defendants ("Parties") hereby jointly request, pursuant to Rule 28(b)(1)(D), Fed. R. Civ. P., that the Court appoint Amy Gitlin, Esq., as a commissioner authorized to administer oaths and carry out the other duties of an officer set forth in Rule 30(b)(5), Fed. R. Civ. P., in any depositions conducted in this matter outside of the United States.

In support of their application, the Parties state as follows:

1. The Parties will be conducting depositions in this matter outside the United States.

2. Rule 28(b)(1)(D), Fed. R. Civ. P., provides in relevant part that a “deposition may be taken in a foreign country ... before a person commissioned by the court to administer any necessary oath and take testimony.”

3. Rule 30(b)(5), Fed. R. Civ. P., provides that, “[u]nless the parties stipulate otherwise, a deposition must be conducted before an officer appointed or designated under Rule 28,” and sets forth in detail the duties of such an officer.

The Parties have agreed to request the appointment of Amy Gitlin, an attorney licensed to practice in New York who currently resides in Israel, as a commissioner authorized to administer oaths and carry out the other duties of an officer set forth in Rule 30(b)(5), Fed. R. Civ. P., for any depositions in this matter conducted outside of the United States.

WHEREFORE, the Parties jointly request that the instant application be granted.

A proposed Order is annexed hereto.

Dated: March 20, 2009

Respectfully submitted,

**Gary A. Woodfield**

By: s/ Gary A. Woodfield  
Edwards Angell Palmer & Dodge LLP  
1 North Clematis Street, Suite 400  
West Palm Beach, FL 33401-4309  
Tel: 561-833-7700; Fax: 655-8719  
Email: [gwoodfield@eapdlaw.com](mailto:gwoodfield@eapdlaw.com)  
*Attorneys for Defendants*

**JAROSLAWICZ LAW OFFICES**

By: s/ Isaac M. Jaroslawicz  
Isaac M. Jaroslawicz, Esq.  
Florida Bar No. 979510  
E-mail address: [Isaac@MyLawyerIsaac.com](mailto:Isaac@MyLawyerIsaac.com)  
1177 Kane Concourse, #222  
Bay Harbor Islands, Florida 33154  
Telephone: 305.398.7739  
Facsimile: 786.206.3575

*Attorneys for Plaintiffs Moshe Saperstein,  
Rachel Saperstein, Avi Itzhak Saperstein,  
Tamar Saperstein, Dafna Saperstein, Dan  
Davidovic, Judith Davidovic, Eliezer  
Davidovic, Ariel Davidovic and Sarah Zweig*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 20, 2009, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

**JAROSLAWICZ LAW OFFICES**

s/: Isaac M. Jaroslawicz

Isaac M. Jaroslawicz, Esq.

Florida Bar No. 979510

E-mail address: [Isaac@MyLawyerIsaac.com](mailto:Isaac@MyLawyerIsaac.com)

**JAROSLAWICZ LAW OFFICES**

1177 Kane Concourse, #222

Bay Harbor Islands, Florida 33154

Telephone: 305.398.7739

Facsimile: 786.206.3575

**SERVICE LIST**

<p><b>Ramsey Clark, Esq.</b>  <b>Lawrence W. Schilling, Esq.</b>  Ramsey Clark &amp; Lawrence W. Schilling  37 W 12th Street, Suite 2B  New York, NY 10011  Tel: 212-989-6613; Fax: 212-979-1583  <i>Attorneys for Defendants</i></p>	<p><b>Mark J. Rochon, Esq.</b>  Email: <a href="mailto:mrochon@milchev.com">mrochon@milchev.com</a>  <b>Richard A. Hibey, Esq.</b>  Email: <a href="mailto:rhibey@milchev.com">rhibey@milchev.com</a>  <b>Timothy P. O'Toole, Esq.</b>  Email: <a href="mailto:totoole@milchev.com">totoole@milchev.com</a>  <b>Lamia R. Matta, Esq.</b>  Email: <a href="mailto:lmatta@milchev.com">lmatta@milchev.com</a>  Miller &amp; Chevalier Chartered  655 15th Street NW, Suite 900  Washington, DC 20005-6701  Tel: 202-626-5800; Fax: 202-626-5801  <i>Attorneys for Defendants</i></p>
<p><b>Gary A. Woodfield, Esq.</b>  Edwards Angell Palmer &amp; Dodge LLP  1 North Clematis Street, Suite 400  West Palm Beach, FL 33401-4309  Tel: 561-833-7700; Fax: 561-655-8719  Email: <a href="mailto:gwoodfield@eapdlaw.com">gwoodfield@eapdlaw.com</a>  <i>Attorneys for Defendants</i></p>	